

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 3398 of 1998

Between:

Chenupati Vara Prasad Rao S/o Venkateswarlu
R/o OPP:Indian Gas, Mungeamuridonka,Ongole,
Prakasam District.

... PETITIONER

AND

Executive Engineer, Telecom Civil Division,
Vijayawada-3, Krishna District.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent in demanding the payment of E.M.D. even at the time of submission of tender schedule and also in insisting for submission of Tax Clearance Certificate from the Commercial Tax Department and Income Tax Department and also Experience Certificate as the same are being illegal, arbitrary and violative of article 14 & 19(1) (g) of the Constitution of India.

Counsel for the Petitioner: MR.T.RAJENDRA PRASAD (Not present)

Counsel for the Respondent: MR.RAMAKRISHNA RAO SIDDANTHI (SC FOR CG)

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the Respondent in demanding the payment of E.M.D. even at the time of submission of tender

schedule and also in insisting for submission of Tax Clearance Certificate from the Commercial Tax Department and Income Tax Department and also Experience Certificate as the same are being illegal and arbitrary.

2. When the matter is taken up hearing, none appears for the petitioner, nor any representation is made. Learned Government Pleader appearing on behalf of the respondents submits that by lapse of time, the prayer in the writ petition has become infructuous. No order as to costs.

Recording the submission, the writ petition is dismissed as having become infructuous. No order as to costs.

N.V. RAMANA, J

April 20, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to. –

*Executive Engineer, Telecom Civil Division,
Vijayawada-3, Krishna District.*

Two C.D. Copies.

Form-NIC-OGS/WP {KMR}